

## Senate Bill No. 278

### CHAPTER 892

An act to add Section 1771.8 to the Labor Code, relating to public works.

[Approved by Governor September 25, 2002. Filed  
with Secretary of State September 26, 2002.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 278, Machado. Public works project: Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002.

Existing law, with certain exceptions, requires the payment of not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which a public works project is performed to all workers employed on that public works project. Existing law provides that the body awarding any contract for certain public works projects is prohibited from requiring the payment of the general prevailing rate of per diem wages if the awarding body elects to adopt and enforce a prescribed labor compliance program relating to the payment of general prevailing rate wages and related laws.

The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, if approved by the voters at the November 5, 2002, statewide general election, would authorize, for the purposes of financing a safe drinking water, water quality, and water reliability program, the issuance of bonds in the amount of \$3,440,000,000.

This bill would require the body awarding any contract for a public works project financed with funds made available by the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, if that initiative measure is approved by the voters, to adopt and enforce that above-mentioned labor compliance program for application to that public works project.

*The people of the State of California do enact as follows:*

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Payment of the prevailing rate of per diem wages to workers employed on public works projects is necessary to attract the most skilled workers for those projects and to ensure that work of the highest quality is performed on those projects.

(2) Public works projects should never undermine the wage base in a community, and requiring that workers on public works projects are paid the prevailing rate of per diem wages ensures that wage base is not lowered.

(3) It is a matter of statewide concern that every public agency in California pay the prevailing rate of per diem wages to workers employed on public works projects undertaken by those public agencies.

(b) Therefore, it is the intent of the Legislature, in enacting Section 2 of this act, that every public agency in California pay the prevailing rate of per diem wages to workers employed on public works projects undertaken by that public agency.

SEC. 2. Section 1771.8 is added to the Labor Code, to read:

1771.8. (a) The body awarding any contract for a public works project financed in any part with funds made available by the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code) shall adopt and enforce, or contract with a third party to adopt and enforce, a labor compliance program pursuant to subdivision (b) of Section 1771.5 for application to that public works project.

(b) This section shall become operative only if the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code) is approved by the voters at the November 5, 2002, statewide general election.

